

REMARKS

Claim 1 has been amended and claims 20 and 21 have been added based on the disclosure at, e.g., pages 17-18 and 21 in the present application.

Entry of the above amendment is respectfully requested.

Turning now to the Advisory Action, Applicants note that with respect to the argument the NaCl concentration used in Niebergall is quite high and therefore is not applicable as a reference in connection with providing an aqueous composition for pharmaceutical use such as for ocular topical administration, the Examiner indicates that there is no limitation in the claims that recites any pharmaceutical use or topical ocular administration; rather, claim 1 simply recites "a composition consisting essentially of a thiazole derivative of the formula (I)...

In response, it is submitted initially that that the Examiner's position is inappropriate, because the issue is whether Niebergall would be combined with Inoue. Since Inoue concerns a pharmaceutical composition for treating a disease such as macular edema (see, e.g., the Abstract and page 28 in Inoue), it is submitted that one would not have combined the high NaCl concentration of Niebergall with Inoue.

Moreover, Applicants note that the claims have been amended as set forth above so that they are clearly directed to an aqueous composition for pharmaceutical use, such as for ocular topical administration. Accordingly, Applicants respectfully request reconsideration of the remarks set forth in the response filed December 6, 2010, entry of which has been requested in the RCE submitted concurrently herewith.

Further, it is submitted that the cited art does not teach or suggest the particular additives recited in new claim 21, so it is submitted that claim 21 is patentable for that reason as well.

Accordingly, reconsideration and withdrawal of the obviousness rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Date: February 7, 2011

Respectfully submitted,



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